

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents referenced in the Complaint, including but not limited to the documents listed in Appendix A attached hereto.
2. All documents referenced in the answers to the interrogatories above.
3. All documents supporting allegations of the Complaint and Amended Complaint.
4. All documents obtained from or provided to any persons in connection with any investigation of the allegations in the Complaint, including documents that support or undermine those allegations.
5. All documents provided to the Government which do not accurately reflect environmental noncompliances with RCRA at PGDP.
6. All documents, including disclosure statements, provided by Tillson or the NRDC relators.
7. All documents reviewed by the Government to draft its complaint.
8. All documents subpoenaed, reviewed or obtained by the Government from any person in connection with investigations triggered by the filing of the relators' complaints.
9. All factual information contained in witness interview memoranda or notes regarding the allegations in the Amended Complaint or the investigation of the relators' claims.
10. All documents in which environmental noncompliances are/were reported by Defendants or any person at the PGDP.
11. All documents pertaining to the existence, management, treatment, shipping, storage, and disposal of solid waste (including hazardous, mixed or radioactive wastes) at the PGDP, including without limitation the following:
 - a) All notices, certifications, demonstrations, waste analysis data, and other documentation pertaining to the PGDP produced pursuant to 40 C.F.R. § 268.7 and 401 KAR 37:010, Section 7.
 - b) Every manifest pertaining to the PGDP and prescribed in 40 C.F.R. Part 262, Subpart B, and 401 KAR 32:020.
 - c) All reports as well as manifests and other records pertaining to the PGDP and required to be maintained under 40 C.F.R. Part 262 and 401 KAR Chapter 32, as prescribed in 40 C.F.R. Part 262, Subpart C, and 401 KAR 32:040.
 - d) All labeling pertaining to the PGDP and prescribed in 40 C.F.R. Part 262,

Subpart C, and 401 KAR 32:030.

- e) All biennial or annual reports and exception reports pertaining to the PGDP and provided to federal or state regulators.
- f) Any and all past and current permits pertaining to the PGDP.
- g) All general waste analyses pertaining to the PGDP and performed in accordance with 401 KAR 34:020, Section 4.
- h) All documents pertaining to the operation of the PGDP in a manner that minimizes the possibility of a fire, explosion, or unplanned sudden or non-sudden release of hazardous waste or hazardous constituents to air, soil or surface water which could threaten human health and/or the environment, as required under Permit condition II.C.1.
- i) All reports pertaining to the PGDP of non-compliance with Permit requirements that might endanger human health or the environment that were made within 2 hours from the time of awareness of the noncompliance, as required under Permit condition II.E.14 (original Permit condition II.E. 15).
- j) All documents pertaining to implementation of RCRA at PGDP, including the impact of CERCLA on such requirements.
- k) All documents pertaining to the Annual RCRA Reports at PGDP.
- l) All documents pertaining to the characterization, management, treatment, disposal, and transportation and hazardous waste at PGDP, including manifests and Annual Waste Reports filed pursuant to RCRA.
- m) All records describing the nature and quantity of all hazardous waste at the PGDP and the method and location of storage.
- n) All documents pertaining to the Rad Area Reduction Project ("RARP") referenced in paragraphs 116-120 of the United States Amended Complaint.
- o) All documents pertaining to the characterization of DMSAs.
- p) All documents pertaining to the designation of DMSAs.
- q) All documents detailing the inventory of each DMSA, including documents regarding waste determinations for equipment and materials within each DMSA.

- r) All documents from Defendants to DOE regarding the DMSAs including the January 15, 1997 (ORO-LMES.PGDPENVRES-1997-001).
- s) All documents pertaining to the removal of material from DMSAs by USEC, all material requested to be removed by USEC, and all payments from USEC to DOE for material removed from DMSAs.
- t) All documents pertaining to the DMSAs after deileasement, including documents concerning the Prioritization Plan and funding requests by LMES and LMUS for characterization activities, and DOE or USEC responses thereto.
- u) All documents regarding walk-downs of DMSAs.
- v) All documents relating to the May 28, 1996 agreement for DOE material storage at PGDP.
- w) All documents regarding the C-400 Process Review.
- x) All documents pertaining to the 1998 Corrective Action Plan, including but not limited to documents relating to Plan's adoption and/or implementation.
- y) All documents regarding the designation of SWMUs and the SWMU notification process at the PGDP, including any correspondence or other communications from IQEP regarding the SWIVIU designation and notification process.
- z) All documents pertaining to the characterization of TCE found in two groundwater plumes discovered in 1988 at the PGDP.
- aa) All documents pertaining to the origins, sources, or uses of TCE at PGDP.
- bb) All documents pertaining to the determination of whether TCE waste should be managed as characteristic or F-listed at PGDP.
- cc) All documents pertaining to discussions between DOE and KDEP concerning the management of TCE waste as either characteristic or F-listed.
- dd) All documents pertaining to TCE disposal at PGDP, including details of the locations and time periods of that disposal.
- ee) All documents pertaining to the TCLP Certification Process at PGDP.
- ff) All documents received by DOE from USEPA/KDEP pertaining to the

management of TCE waste as either characteristic or F-listed.

- gg) All documents sent to USEPA/KDEP pertaining to the management of TCE waste as either characteristic or F-listed.
- hh) All documents pertaining to the May 25, 1994 meeting attended by Jimmy Hodges at which John Morgan presented a briefing on possible sources of contamination in the Northeast groundwater plume.
- ii) All documents pertaining to "Unresolved Safety Questions," as referenced by § 10d of DOE Order 5480.21.
- jj) All documents pertaining to the use of "Request for Disposal"("RFD") tags at PGDP, including the use of RFD tags to mark equipment and materials during the transition to USEC and the subsequent deileasement of certain areas back to DOE.
- kk) All documents which support Plaintiffs' contention that the Defendants failed to make a hazardous waste determination as alleged in ~ 6I of the Amended Complaint.
- ll) All documents which indicated that on numerous occasions between 1984 and 1988, defendants shipped hazardous waste to off-site TSD facilities without sending a notice as alleged in ¶ 68.
- mm) All documents regarding the decision of when waste is to be considered "generated" under RCRA at the PGDP, including, but not limited to, the May 3, 1991 memorandum from Rick Keeling.
- nn) All documents regarding DOE prohibitions against off-site shipment of RCRA or TSCA wastes, including, but not limited to, the May 17, 1991 and February 1992 memoranda pertaining to these issues.
- oo) All documents pertaining to the characterization of waste at C-403.
- pp) All documents pertaining to the Complaint's allegation that LMES's communications with DOE regarding characterization at C-403 were false.
- qq) All documents pertaining to DOE's belief that contamination at the C-400 sump was RCRA-exempt because the source of the contaminants was unknown, as evidenced in an August 1995 letter from DOE to Kentucky and EPA.
- rr) All documents pertaining to contamination at PGDP and surrounding areas, including but not limited to the C-400 Neutralization Pit, the C-400 Fan Stack Room, the C-403 Neutralization Pit, the C-404 Low Level

Radioactive Waste Burial Ground, and the C-616 Full Flow Lagoon.

- ss) All documents pertaining to the rad-contaminated equipment and materials at PGDP.
- tt) All documents pertaining to disposal of mixed wastes at PGDP.

12. All communications between the United States and contractors, including Defendants, concerning waste characterization procedures for TCE and TCE contaminated groundwater at DOE or DOD owned facilities, including PGDP, and the Oak Ridge Office Facilities.

13. All documents pertaining to discussions between Defendants, the United States, state regulators, and USEC pertaining to compliance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, its impact on RCRA compliance, and any discussion of a "CERCLA First" strategy at PGDP or the Oak Ridge Office Facilities, including all meeting notes and memoranda.

14. All documents pertaining to environmental oversight and compliance activities by DOE personnel at the Oak Ridge Facilities.

15. All files of the DOE Regulatory Oversight manager in the Oak Ridge Operation Office.

16. All documents pertaining to DOE Regulatory Oversight Reports regarding the PGDP and the Oak Ridge Office Facilities, including any and all documents used in the drafting or creation of the DOE Regulatory Oversight Reports.

17. All documents pertaining to DOE Oversight Reports for USEC operations at PGDP.

18. All documents regarding the "Shared Site Committee."

19. All documents pertaining to any meeting, conference, or gathering, including any minutes or individual notes, that involved one or more various governmental agencies (including without limitation DOE, USEPA, KDEP, and DOJ) at which environmental conditions of PGDP or regulatory compliance of Defendants was discussed.

20. All documents pertaining to Kentucky and KDEP's role of oversight for PGDP, including documents, notes or discussions related to the negotiation of the "Agreement in Principle" between Kentucky and DOE.

21. All documents pertaining to any report, assessment, inspection, or investigation of the PGDP, including without limitation the following:

- a) The Phase I
Independent

Investigation of the PGDP (October 1999), including all supporting documentation, interviews, and drafts.

- b) All documents which support or relate to the statement on page 4 of the Phase I report that DOE has not provided the funds for the disposition of materials.
- c) All documents which support or contradict statements on page 41-43 of the October 1999 Phase I Independent Investigation of the PGDP.
- d) All documents revealing the identity of the persons interviewed for the October 1999 Phase I Independent Investigation of the PGDP.
- e) All transcripts of interviews of DOE Bechtel-Jacobs personnel for the October 1999 Phase I Independent Investigation of the PGDP.
- f) All documents regarding the Phase II independent Investigation of the PGDP (February 2000), including all supporting documentation and interviews.
- g) All documents regarding the Exposure Assessment Project at the PGDP (December 2000), including all supporting documentation and interviews.
- h) All documents from or to the Secretary of Energy related to audits and investigations carried out by the Office of Oversight, Environment, Safety and Health.
- i) All DOE "Tiger Team Assessments" as well as all documents pertaining to the Tiger Team Assessment.
- j) All documents which analyze or refer to self-assessments.
- k) All government audits and investigations pertaining to the PGDP.
- l) All documents pertaining to the PGDP annual environmental reports.
- m) All documents which are referenced in or referred to or serve as a basis for the Annual Environmental Reports.
- n) All Environmental Health and Safety Audits including the one attached to 12/19/96 Massey letter to Jimmy Hodges.
- o) All documents pertaining to the December 12, 1996 LMES draft audit to DOE entitled "Environmental Health and Safety Audit of Proposed De-leased USEC Facilities."

- p) All documents pertaining to the Agreement in Principle (AIP) inspections or reviews of the PGDP.
- q) All Performance Team Measurement Reports and all documents reviewed or utilized in the Performance Team Measurement Reports.
- r) All documents pertaining to the October 18, 1999 "fact sheet" entitled "Potential Violation of Improperly Stored DOE material."

22. All documents regarding funding priorities for the PGDP, including but not limited to all documents which relate to any request or effort to obtain funding for waste disposal or characterization, DMSA characterization, the P.-hRP, the Prioritization Project, and the 1998 Corrective Action Plan.

23. All documents concerning environmental priorities at PGDP.

24. All documents pertaining to DOE's appropriation or budgetary requests for PGDP, including any discussion of costs or budget pertaining to PGDP.

25. All documents pertaining to, reviewed, or utilized in the April 1985 "Report of the Joint Task Force on Uranium Recycle Materials Reprocessing."

26. All documents reflecting communications with KDEP regarding the PGDP, including all documents sent to or received by the KDEP regarding the PGDP.

27. Any and all memoranda, letters, or documents between any federal or state government agencies or divisions concerning the PGDP including but not limited to regulatory oversight and compliance issues.

28. All documents and communications pertaining to enforcement actions by EPA or KDEP at PGDP, including any documents or communications pertaining to indemnification or cost allowability of the costs of defense against such enforcement actions, and any documents or communications discussing Defendants and/or the United States' responsibility for such enforcement actions.

29. All documents and communications pertaining to enforcement actions by EPA or other state regulatory agencies at the Oak Ridge Office Facilities, including any documents or communications pertaining to indemnification or cost allowability of the costs of defense against such enforcement actions, and any documents or communications discussing Defendants and/or the United States' responsibility for such enforcement actions.

30. All documents and communications between DOE and USEC pertaining to potential environmental non-compliance violations at PGDP or the Oak Ridge Office Facilities, including documents and communications produced by or resulting from the Shared Site Committee, including meeting minutes.

31. All documents pertaining to the lease of the PGDP facilities from DOE to USEC and the subsequent de-leasement of DMSAs, including documents memorializing any concerns about equipment ownership, regulatory responsibility, funding issues, and staffing needs, including without limitation the following:

- a) All correspondence between DOE and USEC regarding the leasing/deleasing of portions of the PGDP.
- b) All documents pertaining to NRC~SEC Certification issues, including all documents pertaining to the process by which USEC received its NRC certification.
- c) All correspondence between DOE and any other entity regarding the leasing/deleasing of portions of the PGDP.
- d) All documents regarding the leasing/deleasing of any portions of the PGDP.
- e) All documents regarding the leasing/deleasing of the DMSAs.
- f) All documents presented to Jimmy Hodges as to whether DOE should accept the DMSAs back from USEC.
- g) All documents pertaining to the 1996 de-leasing agreement between DOE and USEC.

32. All documents that the Government contends are false claims.

33. All documents that the Government contends are false records or statements.

34. All documents prepared by J. Dale Jackson pertaining to the PGDP.

35. All documents in which DOE was advised of environmental conditions at the PGDP.

36. All documents in which DOE is advised by Defendants of environmental conditions at the PGDP.

37. All records of conversation or documents discussing non-compliance reporting requirements at the PGDP.

38. All non-compliance closure letters pertaining to the PGDP.

39. All site management plans pertaining to the PGDP.

40. All site remediation strategies pertaining to the PGDP.

41. All documents pertaining to the reporting of radioactive contamination of the PGDP to DOE.
42. All agreements or contracts between DOE and Defendants.
43. All documents concerning directives to any contractor at PGDP.
44. All documents received by DOE from Bechtel Jacobs Company, LLC regarding the PGDP.
45. All documents pertaining to Tillson's allegations in Count I of his Second Amended Complaint concerning the nickel ingots and asbestos classification or the asbestos abatement project.
46. All documents pertaining to Tillson's allegations in Count VII of his Second Amended Complaint concerning the Northwest Plume and/or the barrier wall or other containment methods.
47. All documents pertaining to the guarantees issued by Lockheed Martin.
48. All documents pertaining to any billing by Lockheed Martin Corporation at PGDP.
49. All documents pertaining to meetings between anyone from the Government and anyone associated with Lockheed Martin Corporation.
50. All documents reflecting or constituting correspondence or communications between Lockheed Martin Corporation and the Government pertaining to the PGDP.
51. All documents pertaining to any communication between DOE and USEC regarding site conditions at PGDP.
52. All documents pertaining to the relators in this action.
53. All documents pertaining to the Readiness Review Board and DMSAs.
54. All documents pertaining to any health or environmental risk or damage associated with any past or present contamination at or near PGDP, including but not limited to any book, publication, news article, press release, notice, magazine, journal, legal pleading, or scientific or medical publication.
55. All documents pertaining to the site, regulatory, and environmental history of PGDP prior to 1984.
56. All documents pertaining

to the use of spare or replacement parts or equipment at PGDP, where those parts were obtained, including the cost and expense of obtaining that equipment, and the use of spare or replacement parts or equipment located on-site or from other DOE owned facilities.

57. All documents pertaining to the sales of UF4 from PGDP.

58. All documents pertaining to the PGDP's Federal Facilities Compliance Agreement, negotiation of the agreement, and DOE's compliance with the FFCA.

59. All Award Fee Determination Letters pertaining to LMES and/or LMUS, including any documents relating to these letters.

60. All documents pertaining to the exhumation and excavation activities conducted by DOJ at PGDP (known as "Digging for the Troth").

61. All documents pertaining to Records of Decision (RODs) issued by USEPA regarding environmental remediation activities at PGDP. (Alan Harrington knows the details about these RODs.)

62. All correspondence and communications or documents between the Government and all residents or landowners ~within a ten-mile radius of PGDP.